**Government
of Alberta** ■

Information Sheet

Maintenance Enforcement Program

Wage Support Deduction Notices

A wage support deduction notice (WSDN) is a legal document the Maintenance Enforcement Program (MEP) issues that requires employers to submit maintenance payments from employee gross pay. WSDNs used to be known as wage garnishees or notices of continuing attachment.

MEP encourages debtors to voluntarily make their support payments through employers by completing a Debtor Voluntary Pay Deduction form. This is the most convenient way for debtors to make payments and can help ensure that court-ordered support is received in full and on time. If payments from a WSDN cannot reach MEP on or before the court-ordered due date, debtors should contact MEP to make payment arrangements to avoid late penalties and interest charges. Debtors can remove voluntary WSDNs once alternate payment arrangements are in place, such as direct debit from debtor bank accounts.

WSDNs can also be used for collection of support payments when debtors are not paying the amount their orders or enforceable agreements specify. To protect debtor privacy, neither MEP staff nor WSDN documents tell employers whether WSDNs are issued at debtor request or to collect overdue payments.

When debtors choose to make payments to MEP through WSDNs, the amount deducted from their wages is set to match the dollar amount or percentage of gross wages arranged with MEP. MEP also issues WSDNs to collect when debtors are not voluntarily paying support and can capture any wages above the debtor exemption. An exemption is a base amount of money debtors can have for their own support. Currently, debtors are entitled to an exemption of 60 per cent of gross wages or salary. The remaining 40 per cent of gross wages must be sent to MEP. Debtors are encouraged to contact MEP staff to make alternate payment arrangements if 40 per cent does not allow them sufficient funds to cover their basic daily needs.

Gross wages mean **all** wages or salary before any mandatory or voluntary deductions. Gross pay includes holiday pay, bonuses, incentive-based pay and overtime. Employers served with WSDNs must also send MEP 40 per cent of all severance and termination pay, although MEP is entitled to ask for 100 per cent of this money and may occasionally do so.

Upon receipt of a WSDN, employers have 15 days to send any funds and confirm how and when they pay employees. Employers have a legal obligation to make the appropriate payment to MEP from all future paycheques of debtors until WSDNs are removed. If employers do not respond to WSDNs, they may be personally liable for the employee's entire support arrears. When MEP receives funds from employers, this money is typically sent to creditors without the need for bank clearance. Creditors usually receive support payments on a regular basis when a WSDN is in place, but not always on the due date. Delays in receipt of payments can result because of scheduling of debtor pay periods and the time required for employers to send MEP funds. For example, a support payment due on the first day of the month may not be collected until the debtor's mid-month or month-end pay and may take up to a week to reach MEP after that.

If debtors leave employment after WSDNs are issued, employers must notify MEP promptly. Employers are also responsible for monitoring whether debtors return to work for them, as WSDNs are in effect for 12 years. Employers must resume deductions if debtors resume employment. Section 40 of the *Maintenance Enforcement Act* prohibits employers from dismissing, suspending, laying off or discriminating against employees because of WSDNs.

This document is part of a series of MEP information sheets that can be obtained in the following ways:
- MEP's website at www.albertamep.gov.ab.ca
- MEP's fax-on-demand service on the *MEP Info Line* by calling 780-422-5555 and using the catalogue number of the information sheet you wish to request
- **Toll-free** service to all Government of Alberta phone numbers is available from anywhere in Alberta by calling 310-0000 and following the voice prompts